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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,)	No. CR 14-296-JST
Plaintiff,)	REVISED STIPULATION TO CONTINUE;
vs.)	[PROPOSED] ORDER CONTINUING
EDGARDO DUARTE,)	CASE AND EXCLUDING TIME UNDER
Defendant.)	THE SPEEDY TRIAL ACT
)	

16 IT IS HEREBY STIPULATED, by and between the parties to this action, that the
17 STATUS HEARING date of April 10, 2015 presently scheduled at 2:00 p.m., before the
18 Honorable John S. Tigar, be vacated and re-set for July 24, 2015 at 2:00 p.m. for MOTIONS
19 HEARING. Motions shall be filed by June 12, opposed by July 6, and oppositions replied to by
20 July 10, 2015.

21 The reason for this request is that this case is ready to proceed to the motions phase. This
22 case is a wiretap case involving 10 search warrants, three wiretap authorization orders, two
23 vehicle stops, pen register records, multiple informants, and significant volumes of audio
24 recordings and transcripts. Based on the complexity, the defense requests 9 weeks to further
25 investigate the case and draft motions. The parties agree and stipulate that the time from April
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1 10, 2015 until July 24, 2015 should be excluded, under 18 U.S.C. §3161(7)(A) and (B)(iv),
2 because the ends of justice served by the granting of the continuance outweigh the bests interests
3 of the public and the defendant in a speedy and public trial. The continuance is necessary to
4 accommodate both counsels' preparation efforts, to wit: discovery review and motions drafting.
5 Once motions are filed, time will be included on that independent basis.

6 This stipulation applies to Mr. Duarte only. The parties do not anticipate that the other
7 defendants will be seeking a briefing schedule and Motions hearing.

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Date 04/09/15

/s/
John Paul Reichmuth
Assistant Federal Public Defender
Counsel for defendant DUARTE

Date 04/09/15

/s/
Chinhayi Cadet
Assistant United States Attorney

1 ORDER

2 The court finds that the ends of justice served by the granting of the continuance
3 outweigh the bests interests of the public and the defendant in a speedy and public trial. The
4 continuance is necessary to accommodate both counsels' preparation efforts including the
5 drafting of motions in a case involving voluminous discovery. The court further finds that time
6 will be excluded upon the filing of motions, under 18 U.S.C. §§3161(h)(1)(D).

7 Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter,
8 as to Mr. Duarte only, be continued to July 24, 2015 at 2:00 p.m. for MOTIONS HEARING, and
9 that time be excluded from April 10, 2015 to July 24, 2015 pursuant to 18 U.S.C.
10 §§3161(h)(7)(A) and (B)(iv).

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12 IT IS SO ORDERED.

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15 April 10, 2015

16 Date

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